

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BRIAN TOTIN,

Plaintiff,

-against-

APKP ASSOCIATES, LLC, and ASA  
PELED,

Defendants.

21-CV-4258 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

On June 5, 2021, the Court received Plaintiff's notice of voluntary dismissal of this action under Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure. Accordingly, the Court grants Plaintiff's request, and the Clerk of Court is directed to close this case.

Although Plaintiff paid the filing fees for this action, the Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: June 16, 2021  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge